

## Koch, Kristine

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**From:** Gail Fricano <GFRicano@indecon.com>  
**Sent:** Monday, December 22, 2014 9:32 AM  
**To:** Koch, Kristine  
**Cc:** Sheldrake, Sean; Michael.karnosh@grandronde.org; 'Julie Weis'; 'erin.madden@gmail.com'; 'Brian Cunningham (cunningham@gorge.net)'; tomd@ctsi.nsn.us; Holly Partridge; 'Gabriel Moses (b) (6)' ; Rita Cabral; Rachel DelVecchio  
**Subject:** feedback from 5 Tribes

Kristine,

Thank you for speaking with me last week about some concerns and suggestions the 5 Tribes have about the project schedule and addressing partner comments on FS Sections.

As we discussed, the 5 Tribes were grateful for the opportunity to discuss EPA's responses to our comments on Section 2 of the FS at the last in-person TCT meeting. Thank you also for taking the time to develop written responses to each partner comment; I know that was a lot of work.

The 5 Tribes remain concerned about EPA's ability to meet the current schedule of completing the FS in August 2015 and going before NRRB in November 2015. We request a detailed schedule outlining how EPA plans to meet this ambitious schedule. We understand that the three-plus-month timeframe that EPA took to respond to our comments on Section 2 was due at least in part to EPA needing to respond to LWG's dispute on the derivation of background concentrations. Based on last week's conversation, we also understand that EPA plans to streamline the response to comments process going forward, likely forgoing the compilation of a comprehensive table with all partners' comments in favor of perhaps adding comments to partners' comments documents. We think that this modification would be acceptable, as long as we receive responses to our comments in some written form. We appreciate that EPA is working hard to keep the project on schedule, and that EPA has recently made modifications to its process to help avoid further delays (e.g., not directing LWG to revise FS sections until after the NRRB).

As I relayed on the phone, we also have the following suggestions or requests regarding interacting with partners on future FS comments.

1. We request that you send out the response to comments document with as much notice as possible before the TCT meeting to discuss the comments. Two business days was not sufficient time for all partners to review the responses and formulate responses back to EPA. The 5 Tribes were able to review each response and determine which responses warranted further discussion. However, if we had had more time, we would have been able to develop suggested Section 2 language based on EPA's responses, which may have sped up the discussion.
2. We suggest allocating more time for these in-person discussions. Three hours proved to be insufficient time to get through everyone's comments. If the other partners had been more prepared to discuss their comments, we would have needed even more time at the meeting.
3. We suggest starting the in-person discussion with any substantive concerns that partners have regarding EPA's responses to their comments. Many of the 5 Tribes' remaining concerns were editorial, and of those, some were more significant than others. Giving partners more time with EPA's responses prior to future meetings will allow partners to better organize and prioritize their concerns. Some more editorial comments may be better discussed outside of the in-person meeting, either one-on-one with EPA at the end of the meeting or by email or phone.

We understand that EPA would like to generally defer editorial comments until all sections are drafted and LWG has produced the revised draft document. In order to help meet the ambitious schedule, we will defer what we judge to be

minor editorial comments to this time. However, we will still plan to submit comments to help clarify confusing language, as we believe that it is important to move forward as early as possible with clear, accurate language in order to ensure that all parties understand your intentions.

Thank you for considering our feedback to help improve the process of completing the FS. We look forward to continuing to work with you on this important project.

Best regards,

Gail

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